

PATENT

C. REMARKS

1. Summary

Claims 1, 3-10, 12, 14-15, 18, 20-23, 25, 27-28, 30-33, 35, and 38-40 are currently pending in the application. Claims 1, 18, and 28 are independent claims. No claims have been amended, cancelled, or added in this Response. Reconsideration of the claims is respectfully requested.

2. Drawings

Applicants note that the Examiner has not indicated whether Applicants' formal drawings, filed with the Application, are accepted by the Examiner. Applicants respectfully request that the Examiner indicate whether Applicants' formal drawings are acceptable in the next Office Communication.

3. IMPROPER FINAL REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3, 18, 20, 27, 28, 30, and 37 stand finally rejected under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over U.S. Patent No. 5,790,974 to Tognazzini in view of U.S. Patent No. 6,640,230 to Alexander et al. (hereinafter "Alexander"). Applicants note that Alexander issued on October 28, 2003 and Alexander's earliest filing date is September 27, 2000. Applicants respectfully traverse the rejections.

The Final Office Action improperly failed to consider Applicants' 37 CFR 1.131 declaration filed on April 5, 2004 by inventor Newton James Smith which evidenced the inventors'

PATENT

conception and reduction to practice prior to the filing date of Alexandre.

The Office Action asserts that Alexander teaches Applicants' claimed limitation of "sending one or more automated requests corresponding to the travel arrangements from the computer system to one or more service agents, wherein at least one of the service agents are selected from the group consisting of a delivery service agent, a telephone system, an electronic calendar system, and a medical information system." In Applicants' prior Response (April 5, 2004), Applicants respectfully asserted that Applicants completed and reduced to practice Applicants' claimed invention before the filing date of Alexandre. A declaration, pursuant to 37 C.F.R. § 1.131, was duly executed by Applicant Newton James Smith and was included with Applicants' prior Response.

In his declaration, Mr. Smith declares that Applicants' claimed invention was completed and reduced to practice prior to September 27, 2000. Exhibit "A" to Mr. Smith's declaration were IBM Invention Disclosure Forms that disclosed Applicants' claimed invention. This Disclosure was submitted to the IBM Intellectual Property Law Department in Austin, Texas prior to September 27, 2000. Mr. Smith's declaration under 37 C.F.R. § 1.131, therefore, removes the Alexander patent from consideration as prior art. Because, for the aforesaid reasons, the Alexander patent is not prior art with respect to Applicants' claimed invention, Applicants respectfully assert that Applicants' claims 1, 3, 18, 20, 27, 28, 30, and 37 are allowable under 35 U.S.C. § 103(a) as the Final Office Action admits that the other art of record, Tognazzini, fails to teach

PATENT

essential limitations (recited above) that are included in Applicants' claims.

Applicants respectfully submit, based on the foregoing, that Applicants' Rule 1.131 declaration, filed on April 5, 2004, is effective to swear behind the Alexander reference. Namely, Applicants Declaration and Exhibits thereto clearly evidence that Applicant conceived and reduced to practice Applicants' claimed invention before the effective filing date of the Alexander reference. In light of Applicants' Declaration and Exhibits thereto, Applicants respectfully request that the Examiner reconsider Applicants' 1.131 declaration and withdraw the finality of the Final Office Action mailed June 11, 2004 that improperly rejected Applicants' claims.

All rejections relying on the Alexander reference are moot because, in light of Applicants Rule 1.131 Declaration, Alexander is not "prior art" to Applicants' claimed invention. Since the Alexander reference cited against Applicants' claims has been removed, Applicants respectfully submit that Applicants claims are allowable and an early allowance of Applicants' claims is hereby requested.

Conclusion

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and Applicants respectfully request an early allowance of such claims. Applicants further request that the finality of the Office Action mailed on February 6, 2004 be withdrawn.

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes

Docket No. AUS920000488US1

Page 15 of 16

Atty Ref. No. IBM-0031

Rodriguez, et. al. - 09/704,569

PATENT

that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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